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April 15, 2014

BY EMAIL

The Honorable Lorna G. Schofield, United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007-1312

Re: Kriss v. Bayrock Group, LLC et al., 13 cv 3905

Dear Judge Schofield:

On behalf of Defendants Felix Sater and Salvatore Lauria, we respectfully object to Plaintiffs' letter, dated April 14, 2014, in which they state that they intend to submit yet another unauthorized letter on a non-issue. Your Honor's April 8, 2014 order directed a "letter response" from Defendants and did not authorize a reply submission by Plaintiffs, let alone two reply submissions. Plaintiffs latest letter underscores our primary point: Plaintiffs intend to remain in this perpetual state of quasi-litigation – anything to avoid filing an actual complaint in this case. We object to this continued sideshow of endless letter-writing outside the context of an actual pleading which can be addressed under the Federal Rules of Civil Procedure.

Our prior letter denied Plaintiffs' scurrilous – and wholly irrelevant – accusations of "criminal contempt" (the pot calling the kettle black), "obstruction by witness tampering, [and] fraud on the court." To the extent Plaintiffs wish to pursue those allegations, there are well-established avenues of redress and remedies. However, none of that has anything to do with the indisputable fact that to be a litigant in federal court, one simply must file a pleading. The Court should not indulge Plaintiffs any further, or enable their increasingly frivolous attempts to avoid filing a pleading at all costs.

Very truly yours,

A handwritten signature in blue ink, appearing to read "N. Mobargha".

Nader Mobargha
Counsel for Defendants Felix Sater and Salvatore Lauria

Cc: Frederick M. Oberlander & Richard E. Lerner
Counsel for Plaintiffs